



October 30, 2019

F-35A EIS Project Manager
NGB/A4AM
Shepperd Hall
3501 Fetchet Avenue
Joint Base Andrews MD 20762-5157

Subject: Comments on Draft Environmental Impact Statement

Dear Sir or Madam:

Thank you for the opportunity to comment on the draft Environmental Impact Statement (dEIS) for the proposed United States Air Force F-35A Operational Beddown, Air National Guard. On behalf of the Wisconsin Department of Natural Resources (DNR), I have coordinated a review of the dEIS and am providing the following comments, related to the proposed operational beddown at the 115th Fighter Wing Installation (115 FW) at Truax Field in the City of Madison.

I. Impacts of Proposed Construction Projects at the 115 FW

A. *Hazardous Materials and Wastes*

Section WI3.13.1 of the dEIS does not adequately address per- and polyfluoroalkyl substances (PFAS) contamination. Although there is mention of three construction projects associated with potential release locations (PRLs), there is no discussion of the probability that PFAS contamination exists beyond PRLs, of the need for a complete site investigation, or of the potential need for interim and remedial actions. Furthermore, the discussion of media management plans on page WI-120 runs counter to state requirements.

The DNR does not consider the site investigation conducted in 2018 (described on pg. WI-117) to be a complete site investigation as required under Chapter NR 716 Wis. Adm. Code. The discussion of that investigation should clarify that because it was limited to the nine PRLs identified in 2015, the extent and nature of PFAS contamination at the 115 FW has not been fully determined.

Results of the 2018 site investigation indicate that there is a likelihood of PFAS contamination of soil and groundwater across much of the installation. Consequently, all planned construction projects will require a site investigation to determine whether PFAS contamination is present prior to construction. A waste handling plan, and potentially permits, will also be required for any soil or water that contains PFAS or other contamination that will be generated at the site due to construction or other like activities.

On page WI-120, the dEIS states that “media management plans are recommended for any area where soil or groundwater disturbance is expected to occur and site investigations indicate PFAS contamination above federal and/or state regulatory limits.” There are currently no state or federal standards for PFAS. As such, the statement quoted above suggests that media management plans would never be recommended. Section NR 722.09, Wis. Adm. Code, however, requires a responsible party to establish site-specific cleanup standards in the absence of promulgated, numeric standards. These standards must be established with approval from the DNR, in

consultation with the state Department of Health Services. Furthermore, ch. 292, Wis. Stats. requires a response action whenever a hazardous substance discharge or environmental contamination is detected in any media.

As such, paragraphs 2 and 3 on page WI-120 should be edited as follows:

“Three perfluorinated compound PRLs including Hangar 400, Hangar 406, and Hangar 414 overlap with the proposed construction at the aforementioned Hangars (Figure WI3.13-4). These three PRLs have ~~potential~~ perfluorinated compound contamination. ~~The 115 FW will coordinate with the WDNR now that the results of the Site Investigation Report are finalized. If~~ In any areas where contamination is present, construction project managers should coordinate with the 115 FW environmental manager to establish an appropriate course of action for the construction project to ensure that local, federal and state agency requirements are met laws are complied with. This includes proper waste handling of contaminated soil and waters of the state in accordance with local, state and federal laws. Applicable permits for handling such media, such as a WPDES permit for de-watering an excavation, would be required.”

“A Media Management Plan is ~~recommended~~ necessary for any area where soil or groundwater disturbance is expected to occur and site investigations indicate Per- and Polyfluoroalkyl Substances contamination ~~above federal and/or state regulatory limits~~ is present. The Media Management Plan would detail the procedures for soil, surface water, and groundwater sampling in accordance with previously approved investigative Work Plans, encountering of contaminated media, site erosion controls, media disposal and federal and state agency notification in accordance with current regulatory requirements at the time of construction.”

Similarly, the following edits should be made towards the bottom of page WI-123, under Section WI3.13.3 (Summary of Impacts):

~~The 115 FW will coordinate with the WDNR now that the results of the Site Investigation Report are finalized. If~~ In any areas where contamination is present, construction project managers should coordinate with the 115 FW environmental manager to establish an appropriate course of action for the construction project to ensure that local, federal and state agency laws are complied with.”

B. Stormwater Permits

Section W12.4 requires several technical corrections. On page WI-14, the first bullet-point should note that the Wisconsin DNR is the permitting authority for purposes of administering the stormwater discharge permit program under the Wisconsin Pollutant Discharge Elimination System (WPDES) permit program.

On page WI-14, the second bullet-point should be edited as follows:

- “○ For construction activities disturbing ~~greater than 1~~ one or more acres, the project would require the application for, and compliance with Wisconsin’s general stormwater permit, “General Permit to Discharge under the WPDES - Land Disturbing Construction Activities.” Site-specific stormwater pollution controls ~~would be included~~ plans will be developed, and practices implemented, in conformance with the permit, ~~as required by~~ and State Regulations NR 151 and 216.

On page WI-14, the fourth bullet-point should be edited as follows:

- “○ ~~D~~ Additionally, the discharge from two oil/water separators (OWSs) operated by WIANG that discharge to ~~Madison Metropolitan Sewerage District sanitary sewer would be~~ Starkweather Creek are covered under the ~~City of Madison’s General WPDES Storm Water Tier 2 Permit (WPDES Permit No. WI-S067857-3)~~ WIANG 2016 permit.

C. Surface Water Resources

Figure WI3.10-1, “Water Resources and Wetlands within the Vicinity of the 115 FW Installation” (pg. WI-90) is missing wetlands included in the Wisconsin Wetland Inventory. The inventory, including geographic information system (GIS) maps, is available at <https://dnr.wi.gov/topic/wetlands/invent01y.html>.

D. Biological Resources

Construction activities that may impact the big brown bat (*Eptesicus fuscus*), a state threatened species, will need to follow state endangered species regulations, as applicable, and should be conducted according to the Wisconsin DNR’s broad incidental take permit/authorization for Wisconsin cave bats.

II. Impacts of Proposed Aircraft Operations Near the 115 FW

A. Noise Impacts on Public Lands

According to the dEIS, F-35A aircraft operations at the 115 FW would increase the area of land falling within the 65-plus dB DNL noise contour by 1,320 acres. Table WI3.5-2 (pg. WI-69) incorrectly reports that 768 acres (or 58%) of this additionally-impacted land is agricultural with only 17 acres (or 1%) in parks and open space.

In fact, most of the area northwest of the airport represented as “Agriculture” in Figure WI3.5-2 (pg. WI-70) is part of Cherokee Marsh, a 2,000-acre area owned and managed for nature conservation and outdoor recreation by the State of Wisconsin (DNR), City of Madison, and Dane County. Based on a GIS analysis conducted by the Wisconsin DNR, approximately 550 acres (or 42%) of the land that would be added to the 65-plus dB DNL zone lies within the boundaries of three protected areas, including 286 acres of the Cherokee Marsh State Fishery Area, 121 acres of the City of Madison’s Cherokee Marsh North Unit, and 143 acres of the Cherokee Marsh State Natural Area (SNA). Of the affected area within the SNA, 107 acres (75%) would experience a larger increase, from the current range of 60-65 dB to a projected range of 70-75 dB.

B. Noise Impacts on Biological Resources

The dEIS provides little substantive information on the potential impacts of increased aircraft noise on wildlife (pg. WI-100) or threatened, endangered, and special status species (pg. WI-101). Although it is difficult to know the nature and severity of specific impacts, and while the Wisconsin DNR does not have regulatory authority over noise from Truax Field, it is likely that there would be some level of impact on a variety of species.

Based on our GIS analysis, approximately 550 acres of preserved marshland and adjacent uplands would be exposed to increased noise levels ranging from 65-75 dB DNL. This area is part of a wetland complex that includes diverse habitat and ecological community types that have been determined to be rare and declining in Wisconsin. These include calcareous fen, southern sedge meadow, wet prairie, and wet-mesic prairie.

Numerous species of common mammals (raccoon, opossum, and meadow vole), amphibians (common frog species and American toad), and birds use the affected area, including species of greatest conservation need identified by the state’s Wildlife Action Plan (Bald Eagle, Short-eared Owl, Bobolink, American Woodcock, and Willow Flycatcher) and a state-threatened bird.

In addition to including the above information, the dEIS would be improved by including a summary of findings reported by Shannon et al. (2016): “A synthesis of two decades of research documenting the effects of noise on wildlife” (pp. 982-1005 in *Biological Review*, volume 91). Specifically, the authors analyzed the results of sixty-nine peer-reviewed, empirical studies of noise effects on terrestrial wildlife (published since 1990) and found that 65% of these studies reported at least some degree of biological response (behavior, physiological, population, etc.) at noise levels of 65 dB, while 80% reported responses at 75 dB.

Thank you again for the opportunity to comment on the draft EIS for the United States Air Force F-35A Operational Beddown, Air National Guard. Please contact me at (608) 267-7853 or AdamC.Mednick@Wisconsin.gov with any questions or comments you may have regarding this letter.

Sincerely,



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Wisconsin Environmental Policy Act Coordinator

Cc: Darsi Foss, AD/8
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